

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Sue Ann Adams, Patricia J. Pettenger, and  
Marla K. Snead, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

v.

U.S. Bancorp, the Benefits Administration  
Committee, and John/Jane Does 1-5,

Defendants.

Case No. 0:22-CV-00509-NEB-LIB

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND  
TO EXCLUDE OPINIONS AND TESTIMONY OF IAN ALTMAN**

Defendants U.S. Bancorp and the Benefits Administration Committee (collectively, “Defendants”), by and through their attorneys and pursuant to Federal Rule of Civil Procedure 56, Federal Rule of Evidence 702, and Local Rule 7.1, respectfully move this Court to enter summary judgment in favor of Defendants and against Plaintiffs Sue Ann Adams, Patricia J. Pettenger, and Marla K. Snead (collectively, “Plaintiffs”) on all Plaintiffs’ claims for relief because Plaintiffs have failed to produce any evidence in support of their claims. Defendants further move this Court to exclude the opinions of Plaintiffs’ purported expert witness, Ian Altman, because Mr. Altman’s opinions are not the product of reliable principles and methods, and because Mr. Altman failed to reliably apply his method to the facts of this case.

In support of this Motion, Defendants submit the accompanying Memorandum of Law and Declaration of Melissa D. Hill and supporting exhibits.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law, Defendants respectfully request that the Court enter summary judgment in favor of Defendants and against Plaintiffs on all Plaintiffs' claims for relief and to exclude the opinions and testimony of Plaintiffs' purported expert, Ian Altman.

Dated: April 1, 2025

Respectfully submitted,

/s/ Melissa D. Hill

Melissa D. Hill (*pro hac vice*)  
Dylan D. Rudolph (*pro hac vice*)  
Christopher M. Diffie (*pro hac vice*)  
Elizabeth A. Schwartz (*pro hac vice*)  
MORGAN, LEWIS & BOCKIUS LLP  
101 Park Avenue  
New York, NY 10178  
(212) 309-6000 (tel.)  
(212) 309-6001 (fax)  
melissa.hill@morganlewis.com  
dylan.rudolph@morganlewis.com  
christopher.diffie@morganlewis.com  
elizabeth.schwartz@morganlewis.com

Daniel Supalla (#0387064)  
NILAN JOHNSON LEWIS PA  
250 Marquette Avenue South  
Suite 800  
Minneapolis, MN 55401  
(612) 305-7500  
dsupalla@nilanjohnson.com

*Attorneys for U.S. Bancorp and the Benefits  
Administration Committee*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 2025, the foregoing document was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system, including below counsel for Plaintiffs. Parties may access this filing through the Court's ECF system:

IZARD, KINDALL & RAABE LLP  
Robert A. Izard  
Christopher M. Barrett  
29 South Main Street, Suite 305  
West Hartford, CT 06107  
Telephone: 860-493-6292  
Facsimile: 860-493-6290  
rizard@ikrlaw.com  
cbarrett@ikrlaw.com

MOTLEY RICE LLC  
Douglas P. Needham  
One Corporate Center  
20 Church Street, 17th Floor  
Hartford, CT 06103  
Telephone: 860-218-2720  
dneedham@motleyrice.com

GUSTAFSON GLUEK LLP  
Daniel E. Gustafson (#202241)  
Amanda M. Williams (#341691)  
Canadian Pacific Plaza  
120 South Sixth Street,  
Suite 2600 Minneapolis, MN 55402  
Telephone: 612-333-8844  
Facsimile: 612-339-6622  
dgustafson@gustafsongluek.com  
awilliams@gustafsongluek.com

*Attorneys for Plaintiffs*

/s/ Melissa D. Hill  
Melissa D. Hill